

**REMARKS**

This Preliminary Amendment is submitted to amend independent claims 1-3 and 25-27.

According to the Board, "Takizawa teaches the invention of claim 1 except that Takizawa turns the device off rather than keeping the device operative under a lower processing ability" (see page 2, On Request for Rehearing). The Board further states, "Pole teaches that a lower power mode can be selected rather than turning the power completely off" (see page 3, On Request for Rehearing).

However, Pole teaches that if the system is originally battery operated and is plugged into an AC outlet, the system may transition to a high performance state. If removed from the AC outlet, the system may transition to a lower performance state. Therefore, Pole differs from the present invention because Pole transitions to a lower performance state when the system is removed from the AC outlet.

By contrast, the present invention relates to an electronic apparatus that transitions to a lower processing ability when a part of the mounted batteries is removed from the apparatus (see claim 1 of the present invention). Therefore, Takizawa and Pole, either alone or combination, do not teach or suggest a system having a processing ability control section that lowers the processing ability when the part of the mounted batteries is removed. Accordingly, Takizawa and Pole do not teach or suggest the features as recited in claims 1-42 of the present invention.

It is respectfully requested that this Preliminary Amendment be entered in the above-referenced application. If there are any additional fees associated with filing of this Preliminary Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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